

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

SAMIR ALINSWAN, d/b/a
BEAUTY SUPPLY & CELLULAR
WIRELESS

Plaintiff,

V.

VALLEY FORGE INSURANCE
COMPANY, d/b/a CNA INSURANCE
COMPANY

Defendant.

Case No. _____

NOTICE OF REMOVAL

Defendant Valley Forge Insurance Company (“Defendant” or “Valley Forge”), incorrectly referred to as Valley Forge Insurance Company d/b/a CNA Insurance Company, removes this action to this Court pursuant to 28 U.S.C. § 1441(a) and in support thereof, states as follows:

1. The above-styled cause was commenced on March 27, 2009, in the Circuit Court of Shelby County, Tennessee, Case No. 001482-09, wherein Samir Alniswan d/b/a Beauty Supply & Cellular Wireless (“Plaintiff” or “Alniswan”) is the Plaintiff and Valley Forge is the Defendant.

2. On March 31, 2009, a designated agent with the Tennessee Department of Commerce and Insurance accepted on behalf of Valley Forge service of the Summons and Complaint, collectively attached as Exhibit 1.

3. The Complaint seeks monetary judgment against Valley Forge in excess of \$6.5 million and alleges that Plaintiff suffered compensatory and punitive damages by breach of

contract, fraud, bad faith refusal to pay, and violation of the Tennessee Consumer Protection Act, among other causes of action.

4. As alleged in the Complaint, Plaintiff is presently and was at filing of the Complaint a resident of Shelby County, Tennessee.

5. Valley Forge is presently and was at filing of the Complaint incorporated in Pennsylvania with its principal place of business in Chicago, Illinois.

6. This is a civil action over which this Court has subject matter jurisdiction pursuant to 28 U.S.C. § 1332(a), because Plaintiff and Defendant have complete diversity of citizenship and the amount of controversy exceeds \$75,000.

7. This Notice of Removal is being filed within thirty (30) days of Valley Forge having received notice of the Complaint and is thus timely filed under 28 U.S.C. § 1446(b).

8. A copy of this Notice of Removal will be filed with the Clerk of the Circuit Court of Shelby County, Tennessee, and served upon Plaintiff's counsel in accordance with 28 U.S.C. § 1446(d).

WHEREFORE, Defendant gives Notice of Removal from the Circuit Court of Shelby County, Tennessee, to the United States District Court for the Western District of Tennessee, Western Division.

Respectfully submitted,

/s/ Derek C. Jumper
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Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served upon, **Kevin A. Snider**, Snider & Horner, PLLC, Corporate Gardens, 9056 Stone Walk Place, Germantown, TN 38138, by ordinary U.S. mail, postage prepaid and/or through this Court's ECF system on this 28th day of April, 2009

/s/ Derek C. Jumper